



FEDERAL ELECTION COMMISSION
Washington, DC 20463

CONCURRING OPINION IN ADVISORY OPINION 1984-14

of

COMMISSIONER JOAN D. AIKENS

I voted to approve the opinion as presented because it followed the revised regulations at 11 C.F.R. SS 114.4 approved by a majority of the Commission prescribed on March 5, 1984. However, I did so with some reluctance since I did not agree with the regulations at the time they were approved. The "six factors that the Commission may consider in determining whether a voter guide is nonpartisan," I believe, go beyond the scope of what the Commission should be regulating.

I believe the public has a right to know a candidate's position on any issue in order to cast a more informed ballot. Certainly an organization such as the United States Defense Committee, which is an incorporated issue group, should have the right to test that position with the interests of the organization. Unfortunately, neither the law nor the regulations distinguish between this type of corporation and a business corporation.

Nevertheless, there were not three other Commissioners who agreed with my position, and the regulations were approved with the restrictive provisions. Therefore, under these regulations, the conclusion reached is correct and so I voted with the majority.